
REGULAR MEETING OF THE CITY COUNCIL

JULY 21, 2009

CITY COUNCIL CHAMBERS

PRESENT: PAUL R LEPAGE, MAYOR
MIKE ROY, CITY MANAGER

COUNCILORS: CHARLES F. STUBBERT, JR., MARY-ANNE
BEAL, ROSEMARY WINSLOW, DANA SENNETT, CHAIR,
JOHN O'DONNELL, THOMAS LONGSTAFF AND CARL S
BASGALL

PUBLIC HEARING

6:45 P.M.

PROPOSED TAX INCREMENT FINANCING DISTRICT

REGULAR MEETING

7:00 P.M.

APPROVAL OF CONSENT AGENDA

REGULAR MEETING CONSENT AGENDA JULY 21, 2009

MINUTES

APPROVAL OF JULY 7, 2009

RESOLUTION NO 82----ROLL OF ACCOUNTS NO 14

Sennett Moved to Adopt
Winslow Seconded the Motion
Vote: All in Favor (7-0)

UNFINISHED BUSINESS

ORDER 31-AN ORDER PROVIDING FOR SALE OF TAX ACQUIRED
PROPERTY (55 SUMMER ST)

WHEREAS, the City acquired a single family residential building located at 55 Summer Street in 2008; and

WHEREAS, the former owner was provided due notice as required by City ordinance; and

WHEREAS, the property has numerous code/safety and health violations; and

WHEREAS, the KVCAP agency has proposed a renovation plan to correct all violations and to make the property available as an affordable housing residence;

NOW THEREFORE, BE IT HEREBY ORDERED by City Council of the City of Waterville acting as the municipal officers as follows:

THAT the City sell the property for ~~\$18,700~~
\$ \$21,780. and that the City Manager be authorized to sign all paperwork to complete the sale and that said funds be deposited in the Capital Improvement Reserve Fund..

Order Read in Full
Sennett Moved to Accept
Winslow Seconded the Motion
Vote in Favor: Beal, Winslow, Sennett,
O'Donnell, Longstaff and Basgall
Vote to Oppose: Stubbart
Vote to Abstain: None
Vote: (6-1-0)

ORDER 33-AN ORDER PROVIDING FOR ACCEPTANCE AND
APPROPRIATION OF 2009 BYRNE JUSTICE ASSISTANCE
GRANT

BE IT ORDERED by the City Council of the City of Waterville, acting as the municipal officers as follows:

THAT, the City Council hereby authorizes the acceptance of twenty thousand one hundred and eighty-nine dollars (\$20,189) from the U.S. Bureau of Justice Assistance for the Edward Byrne Memorial Justice Assistance Grant. And, as said grant has designated the Augusta Police Department as the administrator, the City Council authorizes the City Manager to sign an Inter-

local Agreement, which is required to receive the grant award.

BE IT FURTHER ORDERED, THAT the \$20,189 be assigned to a Police Grant Fund revenue line specified for this Byrne grant .

Sennett Moved to Read by Title Only
Winslow Seconded the Motion
Vote: All in Favor (7-0)
Order Read by Title Only
Sennett Moved to Accept
Winslow Seconded the Motion
Vote: All in Favor (7-0)
Sennett Moved to Hold Third and Final Reading by Title Only
Longstaff Seconded the Motion
Order Read by Title Only
Vote: All in Favor (7-0)
Sennett Moved to Adopt
Winslow Seconded the Motion

Roll Call Vote	Yes	No	Abstain
Charles F Stubbett Jr	1		
Mary-Anne Beal	2		
Rosemary A Winslow	3		
Dana Sennett	4		
John O'Donnell	5		
Thomas Longstaff	6		
Carl S Basgall	7		
Vote	(7-0)		

ORDER 34-AN ORDER PROVIDING FOR ACCEPTANCE OF

GRANTS/DONATIONS FOR THE LIBRARY CAPITAL CAMPAIGN

BE IT ORDERED by City Council of the City of Waterville acting as the Municipal Officers as follows:

THAT the City Manager be authorized to accept a grant award in the amount of \$5,000.00 from the Maine Community Foundation to be remitted to the Library for their Capital Campaign fund

BE IT FURTHER ORDERED that said authorization be applied to any and all future grants, donations, etc, in the amount of \$10,000 or less for the renovation project at the Waterville Public Library with the understanding that the City Manager will report to the Council

in a manner consistent with the reporting of other accepted donations.

Sennett Moved to Read by Title Only
Longstaff Seconded the Motion
Vote: All in Favor (7-0)
Order Read by Title Only
Sennett Moved to Accept
Winslow Seconded the Motion
Vote: All in Favor (7-0)
Sennett Moved to Hold Third and Final
Reading by Title Only
Longstaff Seconded the Motion
Vote: All in Favor (7-0)
Order Read by Title Only
Sennett Moved to Adopt
Winslow Seconded the Motion

Roll Call Vote	Yes	No	Abstain
Charles F Stubbett Jr	1		
Mary-Anne Beal	2		
Rosemary A Winslow	3		
Dana Sennett	4		
John O'Donnell	5		
Thomas Longstaff	6		
Carl S Basgall	7		
Vote (7-0)			

ORDINANCE 05 AN ORDINANCE PROVIDING FOR REPEAL OF ORDINANCE
13-1989 AND ACCEPTANCE OF ZONING ORDINANCE

BE IT ENACTED by the City Council of the
City of Waterville, acting as the municipal
officers as follows:

THAT Ordinance 13-1989 be repealed.

AND THAT an ordinance titled, Zoning
Ordinance, a copy of which is available on the
City web page at www.waterville-me.gov, be
adopted and further that the City Solicitor be
authorized to prepare, in summary form, a
publication notice of said ordinance.

Ordinance Read in Full
Sennett Moved to Accept
Winslow Seconded the Motion

Longstaff Moved to Postpone to August
4th Meeting
Winslow Seconded the Motion
Vote: All in Favor (7-0)

ORDINANCE 06-AN ORDINANCE PROVIDING FOR ACCEPTANCE OF
DONATIONS

BE IT ENACTED by the City Council of the
City of Waterville, acting as the municipal
officers that;

BE IT ENACTED by the City Council of the
City of Waterville, acting as the municipal
officers that the attached Ordinance titled,
"acceptance of Donations Ordinance" be adopted

Ordinance Read in Full
Sennett Moved to Accept
Winslow Seconded the Motion
Vote: All in Favor (7-0)
Sennett Moved to Hold Third & Final
Reading by Title Only
Winslow Seconded the Motion
Vote: All in Favor (7-0)
Ordinance Read by Title Only
Sennett Moved to Adopt
Winslow Seconded the Motion

<u>Roll Call Vote</u>	<u>Yes</u>	<u>No</u>	<u>Abstain</u>
Charles F Stubbett Jr	1		
Mary-Anne Beal	2		
Rosemary A Winslow	3		
Dana Sennett	4		
John O'Donnell	5		
Thomas Longstaff	6		
Carl S Basgall	7		
Vote	(7-0)		

NEW BUSINESS

RESOLUTION 83-A RESOLUTION PROVIDING FOR AUTHORIZING THE
ISSUANCE OF A VICTUALER LICENSE TO JUAN SHIEN
D/B/A/ "NEW CHINA"

BE IT RESOLVED by the City Council of the
City of Waterville, acting as the municipal
officers, as follows:

THAT the City Council approves the issuance of a Victualer License to Juan Shien d/b/a "New China" at 68 College Ave.

Resolution Read in Full
Sennett Moved to Adopt
Winslow Seconded the Motion
Vote: All in Favor (7-0)

RESOLUTION 84-A RESOLUTION PROVIDING FOR AUTHORIZING THE
ISSUANCE OF A VICTUALER LICENSE TO HIRU PATEL
REALTY D/B/A "ECONO LODGE"

BE IT RESOLVED by the City Council of the
City of Waterville, as follows:

THAT the City Council approves the issuance
of a Victualer License to Hiru Patel Realty d/b/a
"Econo Lodge" at 455 KMD.

Resolution Read in Full
Sennett Moved to Adopt
Winslow Seconded the Motion
Vote: All in Favor (7-0)

RESOLUTION 85-A RESOLUTION PROVIDING FOR AUTHORIZATION TO
HIRE CDBG ADMINISTRATOR

WHEREAS, City staff issued a Request For
Proposals (RFP) and received bids in accordance
with the City's Purchasing Ordinance;

NOW THEREFORE BE IT HEREBY RESOLVED by
the City Council of the City of Waterville as
follows:

THAT, the City Manager be authorized to hire
the Waterville Maine St. organization in the
amount of \$37,500 to administer the CDBG Downtown
Revitalization and Housing Assistance grants with
the understanding that said sum is included in
the CDBG award and that the contract for said
work be in a form and content acceptable to the
City Solicitor.

Resolution Read in Full
Sennett Moved to Adopt
Winslow Seconded the Motion
Vote: All in Favor (7-0)

RESOLUTION 86-A RESOLUTION PROVIDING FOR AUTHORIZATION TO
HIRE AN ARCHITECTURAL DESIGN FIRM

WHEREAS, City staff issued a Request For Proposals (RFP) and received bids in accordance with the City's Purchasing Ordinance;

NOW THEREFORE BE IT HEREBY RESOLVED by the City Council of the City of Waterville as follows:

THAT, the City Manager be authorized to hire Lachman Architects and Planners for the amount of \$15,000 to complete architectural design work as part of the CDBG Downtown Revitalization project. Said sum to be made available from proceeds of the CDBG award and that the contract for said work be in a form and content acceptable to the City Solicitor.

Resolution Read in Full
Sennett Moved to Adopt
Winslow Seconded the Motion
Longstaff Moved to Amend as shown above
Winslow Seconded the Motion
Vote: All in Favor (7-0)
Vote on Resolution 86-2009 as Amended
Vote: All in Favor (7-0)

RESOLUTION 87-A RESOLUTION PROVIDING FOR APPOINTMENT OF A
COMMUNITY DEVELOPMENT ADVISORY COMMITTEE

BE IT RESOLVED by the City Council of the City of Waterville, acting as the municipal officers, as follows:

THAT the attached list of individuals be approved as the City's Community Development Advisory Committee and that the purpose of said Committee be to advise the City Council regarding priorities for Community Development Block Grant (CDBG) activities in the future in addition to monitoring the progress of the current CDBG projects.

Resolution Read in Full
Sennett Moved to Adopt
Winslow Seconded the Motion
Vote: All in Favor (7-0)

RESOLUTION 88-A RESOLUTION PROVIDING FOR AUTHORIZING THE
CITY MANAGER AS MMA VOTING DELEGATE

BE IT RESOLVED by the City Council of the City of Waterville, acting as the municipal

officers, as follows:

THAT the City Manager be authorized as Waterville's voting delegate for the purpose of the election of officers and board members of the Maine Municipal Association (MMA). Proposed candidates are as shown on the attached ballot.

Resolution Read in Full
Sennett Moved to Adopt
Winslow Seconded the Motion
Vote: All in Favor (7-0)

RESOLUTION 89-A RESOLUTION PROVIDING FOR APROVAL OF CDBG COMPLAINT POLICY

BE IT RESOLVED by the City Council of the City of Waterville, acting as the municipal officers as follows:

THAT the attached Policy for CDBG Complaints be adopted as required by Community Development Block Grant (CDBG) program rules.

Resolution Read in Full
Sennett Moved to Adopt
Winslow Seconded the Motion
Vote: All in Favor (7-0)

ORDER 35-AN ORDER PROVIDING FOR TAX INCREMENT FINANCING DISTRICT - GILMAN PLACE

BE IT HEREBY ORDERED by City Council of the City of Waterville acting as the municipal officers as follows:

WHEREAS, the City of Waterville (the City) is authorized pursuant to Chapter 206, Subchapter 3 of Title 30-A of the Maine Revised Statutes, as amended, to designate specified areas within the City as Affordable Housing Development Districts (the District) and to adopt a development program (the Development Program) for the District; and

WHEREAS, the City has held a public hearing on the question of establishing the District, in accordance with the requirements of 30-A M.R.S.A. Subsection 5250, upon at least ten (10) days prior notice published in the Central Maine Morning Sentinel, a newspaper of general circulation within the City; and

WHEREAS, it is expected that approval will be sought and obtained from the Maine State

Housing Authority (the Authority) approving the designation of the District and the adoption of the Development Program for the District; and

WHEREAS, at least 25% of the property within the District is suitable for residential use, and in need of rehabilitation or redevelopment; and

WHEREAS, the City's TIF Advisory Committee has reviewed the proposed TIF District for Gilman Place and find it to be in conformance with the City's TIF Policy;

NOW THEREFORE, the City Council hereby finds and determines that:

1. The designation of the District and pursuit of the Development Program will create affordable, livable housing within the City of Waterville, and therefore constitutes a good and valid public purpose.
2. Pursuant to Chapter 206, subchapter 3 of Title 30-A of the Maine Revised Statutes, as amended, the City Council hereby designates the Gilman Place Affordable Housing Development District as more particularly described in the documents presented to the City Council in the form attached hereto.
3. Pursuant to the provisions of 30-A M.R.S.A., Subsection 5250-A, the percentage of captured assessed value to be retained in accordance with the Development Program is to be established as set forth in the Development Program.
4. The City Manager be and is hereby authorized, empowered and directed to submit the proposed designation of the District and the proposed Development Program for the District to the Maine State Housing Authority for review and approval pursuant to the requirements of 30-A M.R.S.A. Chapter 206, subchapter 3.
5. The City Manager be and is hereby authorized and empowered at his discretion from time to time to make such revisions to the Development Program for the District as he deems reasonably necessary or convenient in order to facilitate the process of review and approval of the District by the Maine State Housing Authority, or for any other reason so long as such provisions are not inconsistent with these resolutions or the basic structure and intent of the Development Program.
6. The foregoing designation of the District and the

adoption of the Development Program shall automatically become final and shall take full force and effect upon receipt by the City Council of approval of the designation of the District and adoption of the Development Program by the Maine State Housing Authority, without requirements of further action by the City, the City Council or any other party.

7. The City Manager be and is hereby authorized to create a Municipal Project Cost Account, as contemplated by the Development Program in the name of and on behalf of the City, such Account to be in such form and to contain such terms and provisions, not inconsistent with the Development Program and this Order, and a percentage of the proceeds of the Municipal Project Cost account, as specified in the Development Program, shall be used to defray operating expenses for eligible projects within the District, consistent with the Development Program. Said Development Program and Account to be reviewed and approved by the City Solicitor or his designee.

Sennett Moved to Read by Title Only

Longstaff Seconded the Motion

Vote: All in Favor (7-0)

Order Read by Title Only

Sennett Moved to Accept

Winslow Seconded the Motion

Vote: All in Favor (7-0)

RECONSIDER ORDER 31-2009

Sennett Moved to Reconsider Order 31-2009

Winslow Seconded the Motion

Vote in Favor Beal: Winslow, Sennett,
O'Donnell, Longstaff and Basgall

Vote to Oppose: Stubbart

Vote to Abstain: None

Vote: (6-1-0)

Sennett Moved to Hold Third and Final
Reading by Title Only

Winslow Seconded the Motion

Vote in Favor: Beal, Winslow, Sennett,
O'Donnell, Longstaff and Basgall

Vote to Oppose: Stubbart

Vote to Abstain: None
Vote: (6-1-0)
Order Read by Title Only
Sennett Moved to Adopt
Winslow Seconded the Motion

Roll Call Vote	Yes	No	Abstain
Charles F Stubbert Jr		1	
Mary-Anne Beal	1		
Rosemary A Winslow	2		
Dana Sennett	3		
John O'Donnell	4		
Thomas Longstaff	5		
Carl S Basgall	6		
Vote	(6-1-0)		

The Mayor announced the appointment of Susan Lee Lyford
as Public Library Trustee. Her term will expire in 2013.

There being no further business the meeting was adjourned.

A True Copy Attest


City Clerk